

TTAB

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28079-161

June 30, 2006

VIA EXPRESS MAIL

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. §2.198

"Express Mail" Mailing Label No.: EV 749051625 US
Date of Deposit: June 30, 2006

I hereby certify that this paper is being deposited postage prepaid with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 C.F.R. §2.198 on the date indicated above addressed to United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451.

By: 

Amy M. Sheridan

| | |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------|
| Applicant: | San Diego County Credit Union |
| Mark: | FLY MILES PLUS |
| Serial No.: | 78/477,138 |
| Opposer: | United Air Lines, Inc./UAL Loyalty Services LLC |
| Opposition No.: | 91169279 |
| Subject: | Motion for Extension of Time to Answer with Consent and Motion for Extension of Discovery and Trial Periods with Consent |

Dear Sir:

We enclose original copies of a Motion for Extension of Time to Answer with Consent, Motion for Extension of Discovery and Trial Periods with Consent, and Proof of Service to the Opposing party with regard to the above-referenced matter. So that we may have a timely record of this filing, please date-stamp the enclosed stamped, self-addressed postcard and deposit it in the U.S. mail. Please bill any charges related to this filing to our Deposit Account No. 50-2298.

Please direct any questions regarding the enclosed to my attention.

Sincerely,



Mitchell P. Brook

of

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

MPB/ams
Enclosure

3723877.1



06-30-2006

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE BEFORE THE TRADEMARK
TRIAL AND APPEAL BOARD**

| | | |
|-------------------------------|---|--------------------------|
| In re Application of |) | |
| |) | |
| San Diego County Credit Union |) | |
| |) | |
| Serial No.: 78/477,138 |) | Opposition No.: 91169279 |
| |) | |
| Filed: September 1, 2004 |) | |
| |) | |
| Mark: FLY MILES PLUS |) | |
| |) | |
| _____ |) | |

Box: TTAB
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

MOTION FOR EXTENSION OF TIME TO ANSWER WITH CONSENT

San Diego County Credit Union's answer is currently due on July 1, 2006. San Diego County Credit Union requests that its time to answer be extended by 30 days from the current due date, or until July 31, 2006. The grounds for applicant's request are to allow the parties to explore an amicable resolution of this matter.

San Diego County Credit Union has secured the express consent of Opposer, United Air Lines, Inc. and UAL Loyalty Services LLC f/d/a UAL Loyalty Services, Inc. (collectively "United") for the extension requested herein.

LUCE FORWARD HAMILTON & SCRIPPS, LLP

By: Mitchell P. Brook (by RCW)
Mitchell P. Brook

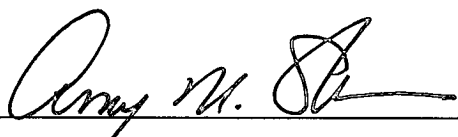
11988 El Camino Real, Suite 200
San Diego, California 92130
(858) 720-6300 Telephone
(858) 720-6303 Facsimile

Attorney for San Diego County Credit Union

CERTIFICATE EXPRESS OF MAILING

I hereby certify that the foregoing Motion for Extension of Time to Answer with Consent enclosed herein is being deposited postage prepaid with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 C.F.R. §2.198 via Express Mail Label # EV 749051625 US with sufficient postage in an envelope addressed to Box: TTAB, Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451, on the date listed below.

Date: June 30, 2006

Signature: 

Print Name: Amy M. SHERIDAN

3722574

PROOF OF SERVICE

I am employed in San Diego County. My business address is 11988 El Camino Real, Suite 200, San Diego, CA 92130, where this mailing occurred. I am over the age of 18 years and am not a party to this cause. I am "readily familiar" with the practices of LUCE, FORWARD, HAMILTON & SCRIPPS LLP for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited with the United States Postal Service the same day in the ordinary course of business.

On June 30, 2006, I served the foregoing document(s) described as:

MOTION FOR EXTENSION OF TIME TO ANSWER WITH CONSENT

☒ By placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope(s) addressed as follows:

Philip A. Jones
Brinks, Hofer, Gilson & Lione
P.O. Box 10395
Chicago, Illinois 60610

☒ BY MAIL: As follows: I am "readily familiar" with the business' practice of collection and processing of correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Diego, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

☐ BY PERSONAL SERVICE. I delivered such envelope by hand to the offices of the party(ies) listed above [by delivering a copy to Cal Express Messenger Service] on this date for personal service on each party listed above.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☐ (Federal) I declare under penalty of perjury under the laws of the United States of America that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on June 30, 2006, at San Diego, California.


Amy M. Sheridan

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE BEFORE THE TRADEMARK
TRIAL AND APPEAL BOARD**

| | | |
|-------------------------------|---|--------------------------|
| In re Application of |) | |
| |) | |
| San Diego County Credit Union |) | |
| |) | Opposition No.: 91169279 |
| Serial No.: 78/477,138 |) | |
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| Filed: September 1, 2004 |) | |
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| |) | |
| _____ |) | |

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**MOTION FOR EXTENSION OF DISCOVERY AND TRIAL PERIODS WITH
CONSENT**

The Discovery is currently set to close on October 9, 2006. San Diego County Credit Union requests that such date be extended for 30 days, or until November 8, 2006, and that all subsequent dates be reset accordingly.

Discovery Period to Close: November 8, 2006

30-day testimony period for party
in petition of plaintiff to close: February 6, 2007

30-day testimony period for party
in petition of defendant to close: April 7, 2007

15-day rebuttal testimony period
for plaintiff to close:

May 22, 2007

The grounds for applicant's request are to allow the parties to explore an amicable resolution of this matter.

San Diego County Credit Union has secured the express consent of Opposer, United Air Lines, Inc. and UAL Loyalty Services LLC f/d/a UAL Loyalty Services, Inc. (collectively "United") for the extension requested herein.

LUCE FORWARD HAMILTON & SCRIPPS, LLP

By: Mitchell P. Brook (by rcw)
Mitchell P. Brook

11988 El Camino Real, Suite 200
San Diego, California 92130
(858) 720-6300 Telephone
(858) 720-6303 Facsimile

Attorney for San Diego County Credit Union

CERTIFICATE EXPRESS OF MAILING

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Date: June 30, 2006

Signature: Amy M. Sheridan

Print Name: Amy M. SHERIDAN

PROOF OF SERVICE

I am employed in San Diego County. My business address is 11988 El Camino Real, Suite 200, San Diego, CA 92130, where this mailing occurred. I am over the age of 18 years and am not a party to this cause. I am "readily familiar" with the practices of LUCE, FORWARD, HAMILTON & SCRIPPS LLP for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited with the United States Postal Service the same day in the ordinary course of business.

On June 30, 2006, I served the foregoing document(s) described as:

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☐ (State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☐ (Federal) I declare under penalty of perjury under the laws of the United States of America that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on June 30, 2006, at San Diego, California.


Amy M. Sheridan